

Submission on a publically notified proposed Regional Plan prepared under the Resource management Act 1991

**On:** The Waikato Regional Councils proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments.

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I am not a trade competitor for the purposes of the submission but the proposed plan has a direct impact on my ability to farm. If Changes sought in the plan are adopted they may impact on others but I am not in direct trade competition with them.

I wish to be heard in support of this submission

## Introduction

I thank you for the opportunity to submit on the Waikato Regional Plan Change 1.

My wife Kim and I are farming 5 min west of Piopio in the west coast catchment. We have two kids in school in Piopio and are very heavily involved in the local community. Kim is a dentist and we are about to open a dental practice in Piopio which is a first for the area.

We lease Kim's 500ha family farm off her parents. This farm has been in the family for 76 years. We have also recently purchased the neighbours 300ha farm along with leasing 350ha of Maori owned land. All three farms although they are adjoining are very different in regards to contour, aspect, infrastructure, fertility and stock carrying capacity. And as such we have different goals and aspirations for each one. We run a 50:50 sheep and beef operation with a mixture of beef classes from dairy grazers to fattening bulls to beef cows. The beef mix varies markedly from year to year depending on the markets. For example in 2013 we had 100% dairy grazers to present where we have 70% bull finishing 15% Beef cows and 15% dairy grazing. And in no doubt this ratio will change in the future as circumstances do.

The family farm has been very well run over the last 76 years with Kim's father Barrie being an early adopter of water reticulation, water way and bush retiring and tree planting. The farm won the Waikato balance environment award in 2005 and has been portrayed by the Waikato regional council as a model farm for what can be achieved in regards to environmental protection on hill country. This work has been carried out over a span of 30-40 Years. When plan change one is rolled over to the west coast this model farm will still require many thousands of dollars to be spent on it to bring it into compliance. Most concerning to us is that the farm will be penalised for being an early adopter of environmental sustainability. With regards to having a lower nitrogen reference point because large areas have already been retired and planted.

The 300ha farm Kim and I purchased in April 2015 has also been well run in the past and although it does have a water reticulation system it has not had any waterways fenced or bush retired. Since we purchased the property we have developed a FEP for the land and identified the main areas that we want to concentrate on. Including a 10 year fencing plan to fence off and retire the wet areas of the farm and stabilise the stepper faces with poplar poll plantings. This includes a 3 year \$100,000.00 6.5km fencing plan with the regional council (which we have just finished the second stage of). This 10year plan will protect the major water ways on the farm but by no means will this be all of them. We need this long time frame in order to be able to complete the works in a way that is sustainable to both the bank balance and the environment.

We took over the Maori lease in July 2016 and it needs a bit of love and respect. It has a very low fertility level and therefore its stock carrying capacity is low. It also only has water reticulation on part of the farm and has very little waterways and bush areas fenced off. In the conditions of our lease we have agreed to address the fertility levels and some of the fences required to retire some of the more sensitive areas. In exchange for an extended lease and no rent reviews. When plan change one is rolled over into the west coast our fear is that the money spent on lifting the stock carrying capacity of this farm will be wasted if we are unable to stock the farm appropriately, due to having a cap on production. Carrying reduced numbers will also impact on our ability to pay for the fencing and retirement plans for the farm.

Waikato Regional Plan Change 1 creates a huge amount of uncertainty about the viability of our future farming business, our dental business and the future sustainability of our vibrant prosperous community and town. We want our kids to be able to enjoy the area the same way that we do now. There are many a hot summers afternoon spent swimming in the Mangaotaki River chasing eels, trout and Kura. Farming is not just a job it is our life, our home and our play ground.

The specific provisions of the proposal that this submission relates to and the decisions it seeks from Council are as detailed in the following table. The outcomes sought and the wording used is as a suggestion only, where a suggestion is proposed it is with the intention of 'or words to that effect'. The outcomes sought may require consequential changes to the plan, including Objectives, Policies, or other rules, or restructuring of the Plan, or parts thereof, to give effect to the relief sought.

The specific Provisions my submission relates to are:	My submission is that:	Why / Reason	Relief Sought
Vision and Strategy: Our vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato river, and all it embraces for generations to come.	Support	This is a very clear goal that that we all want to achieve. It brings together all people and communities to work together towards a common goal.	Retain. I believe however that plan change one will NOT succeed in its vision. It places too much of the burden on one sector of the community. It stifles innovation, reduces income, increases costs and will be imposable to police. It will divide communities and in the long term destroy some. Plan Change One is poorly written and unworkable. It needs to be completely rewritten and reworked. This is too important to rush through which is what the plan looks like at present.
Objective 2: Social, economic and cultural wellbeing is maintained in the long term.	Support	This is a good objective and one well worth encouraging and supporting. I also agree that it is very important to have healthy social, economic and cultural wellbeing and this will be benefitted by having a healthy river	Keep Objective 2 The rules outlined in this plan contradict this objective. They will cause the destruction of these values, along with farms and small rural communities.

Objective 1: Long term restoration and protection of water Quality for each sub-catchment and freshwater management unit.	Support in part	We all want health rivers and the ability for ourselves and future generations to swim and fish in. I worry that the 80 year goals are to far reaching however, and are unachievable. Especially with regards to E. coli. Some of the modelling data that is currently coming out is saying that E. coli increases when waterways are retired and planted.	The goal of swim ability and fish ability 365 days per year is a bridge to far and needs to be reduced, or modified to allow for winter and high water flow events. More work on modelling different scenarios needs to be done. Maybe testing only after a certain number of dry days during times of the year when the rivers are being used. I.e. from October through to April.
Objective 4: People and community resilience	Support in Part	Objective 4a and b are conflicting. 4b brings a large level of uncertainty and confusion to the plan. Farmers have no certainty as to whether the mitigation controls they are having to undertake will allow the 80 year goals to be reached. They in fact have no certainty as to whether there business will even survive.	Remove Part 4b.
Objective 5: Mana Tangata – protecting and restoring tangata whenua values.	Oppose section b	This is about protecting the water quality for all. The water contaminants we are trying to control are indiscriminate of race and who owns the land they come off.	Remove section b
Policy 1: Manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens	Support in part	<p>Managing and reducing discharges of specific contaminants is required, and the best way to do this will be by focusing on sub catchments, working out what is needed, and where.</p> <p>For example in the Waipa catchment is already meeting its Nitrogen (N) requirements but is falling short on its sediment. So to me this means that N is not a problem in this sub catchment. This policy does not allow for flexibility within the farm gates which is vitality important to sheep and beef farmers. Clause C is too far reaching.</p>	All aspects of the plan should come under the Farm Environment Plans (FEP). They should be developed using a sub catchment approach.

Policy 2: Tailored approach to reducing diffuse discharges from Farming activities	Support in part	I agree that we all need to take steps in reducing our impact on the waterways. Taking a tailored approach with the use of sub catchments and FEP's is a very good way of getting there. Nitrogen Reference Points and draconian stock exclusion rules are not going to help and in some cases may do the opposite. By rewarding high polluters and having to put fences in unrealistic places.	Remove (c) and (e) of policy 2. Make better use of the FEP's. Use this tool to develop individual plans for individual farms. You will get much better buy in from farmers and achieve far better outcomes in the long run.
Policy 4: Enabling activities with lower discharges to continue or to be established while signalling further Change may be required in future	Oppose	There is no certainty in a statement like "may in the future need to take mitigation actions". When where and How. Out of the scope of a 10 year plan. Also very hard to work out what defines a low discharging activity.	Remove.
Policy 5: Staged Approach	Support	A long term approach is defiantly required to a very complex issue.	Retain This policy is in contradiction however to Policy 2 (e) which is excessively fast.
Policy 6: Restricting Land Use Change	Oppose	<p>Policy 6 does not allow low emitting sheep and beef farmers to change their stock mix. Traditionally sheep and beef farms have changed their mix depending on a number of factors. Market predictions, age of the farmer, climatic conditions, stage in farming career, and opportunities around them. This has been what makes a sheep and beef farm profitable.</p> <p>E.g. When we moved home to the family farm, sheep prices were very high, but we had the opportunity to take over the high performing sheep flock that was on the farm. So we bought the sheep. This however meant we could no longer afford to purchase cattle as well. So we took on some dairy grazers. Now the grazers have gone, being replaced by bulls and beef cows. Over the last 4 years the farm has expanded</p>	I understand the thinking behind this policy in that no more land is to be converted to dairy. But again this is a very broad blunt tool. No two farms are the same, so a more tailored approach needs to be taken. Land use change should be included in the FEP's and linked to land classification units and on a sub catchment basis.

		<p>and changed due to leasing more land and having the opportunity to purchase the neighbouring farm. Along with some unseasonably dry summers means that the farm has never been stocked at its traditional carrying capacity. And stock policy is still evolving to best fit the land management units on the farm. This policy will overly penalise me. Not because I'm a high polluter but because I am at the start of my farming career and growing my business. This farm currently supports 3 Families and one single Man. If I can no longer grow my stocking rate to best fit the land. I will have to consider disestablishing a roll on the farm. It will also have the unintended consequence of reducing the value of our farm.</p>	
Policy 7: Preparing for allocation in the future.	Support in part	<p>This is a good idea. We need information in order to be able to make informed decisions. This should be the starting point not somewhere in the future. This should come before all the expensive draconian rules proposed by this plan. I do however have reservations around tangata whenua ancestral land though. It doesn't seem fair that one group of people have a different set of rules than others. Very divisive.</p>	Remove policy 7 (b)
Policy 8: Prioritised Implementation	Support	Good idea	Keep
Policy 9: Sub-catchment mitigation, co-ordination.	Support	Sub-catchment planning and working with communities is the right way to go.	Keep

<p>Policy 16: Flexibility for development of land returned under Te Tiriti O Waitangi settlements and multiple owned Maori land</p>	<p>Oppose</p>	<p>This plan is about creating healthy rivers, irrespective of race.</p>	<p>Remove</p>
<p>3.11.4 Implementation methods 3.11.4.1, 3.11.4.2, 3.11.4.3, 3.11.4.4, 3.11.4.5, 3.11.4.6, 3.11.4.7, 3.11.4.8, 3.11.4.9, 3.11.4.10, 3.11.4.11, 3.11.4.12</p>	<p>Support in part</p>	<p>This is very light in detail and needs some serious work. The plan as it is written will be imposable to implement. The funding is also very light. It is unreasonable to lump the entire cost of this plan at the feet of farmers. The urban population needs to pay their part also. This is outlined in the vision and strategy.</p>	<p>Develop a plan with buy in from farmers at a sub catchment level. Work out what is needed where and develop the plan around that.</p> <p>Come up with funding plan for all to contribute to. Then make sure the funds go back to help with mitigation controls and works, not into enforcement and policy making.</p>
<p>Rule 3.11.5.1 Permitted Activity Rule</p>	<p>Support in Part</p>	<p>The limits set for this rule are very tight. So tight that it will be almost impossible for any farm to fall into a permitted activity. It is also unrealistic to have all water ways fenced regardless of slope.</p>	<p>Lift the drafting gate, A stocking rate of 8.5 stock units per hectare. Remove clause 2 and replace with best practice.</p>
<p>Rule 3.11.5.2 Permitted Activity Rule- Other farming activities</p>	<p>Support in part</p>	<p>Again rules are very tight and are just a way of directing all farms towards a Controlled activity. I don't like the Nitrogen cap, as these farms will already have very low Nitrogen reference points. Complete stock exclusion is unrealistic and could in fact be a detriment to the environment. Clause 4 (c) this is unrealistic. You will be hard pressed to find any sheep and beef farms that do not graze land over 15 degrees. This is just another way to direct all farms into a controlled activity.</p>	<p>All containments should be looked at on a sub catchment level and then using good science these contaminants should be addressed according to what is needed. Having a blanket NRP is just rewarding high emitters and penalising low emitters. Remove clause 2 and replace with best practice. Remove the word grazed in clause 4 (C). Change stock exclusion to best practice</p>

<p>Rule 3.11.5.3 Permitted Activity Rule- Farming activities with a farm environment plan under a certified industry scheme</p>	<p>Support in part</p>	<p>There are no certified Industry Schemes as of yet. So it is very hard to comment on how these will be administered. I do support the idea behind them though. Complete stock exclusion is not supported and should be amended. The NRP needs to be removed.</p>	<p>I do support the need to work out the NRP for the catchments. But I do not support the use of the NRP as a farming limit. Stock exclusion should be biased on best practice and will be different for each individual farms.</p>
<p>Rule 3.11.5.4 Controlled Activity Rule- Farming activities with a Farm Environment Plan not under a Certified Industry Scheme</p>	<p>Support in part</p>	<p>I support that use of controlled activity consents. I do worry about the money that will be required to apply for these and there on going costs. Money that could be better utilised in contaminant control measures. I do not agree with the use of the nitrogen reference point. Or the complete stock exclusion clause.</p>	<p>Remove all reference to the Nitrogen reference point and stock exclusion. Relate the consent back to the Farm Environment Plan, which can cover off all of those issues, on sub catchment by sub catchment, farm by farm basis.</p>
<p>Schedule A: Registration</p>	<p>Support in part</p>	<p>I agree that all farms need to be registered. I would seek clarification around clause 5 (f). Whether it is an average for the year or is a 30 June number. Also clause 6 (a) (ii and iii)) identifying each and every water body on the farm is a huge task let alone every crossing point. Who and how is this going to be policed. This would be an imposable task in the tight time frames</p>	<p>Set a date for stock numbers. Remove 6 (a) ii and iii. Or Relate back to the Farm Environment Plan. Or Change to any major waterway.</p>

<p>Schedule B: Nitrogen Reference Point (NRP)</p>	<p>Oppose</p>	<p>I strongly oppose this part of the plan it does nothing for the health of the rivers it just creates divisions within the communities. It does this by allowing the high emitters to carry on as per normal and restricting the low emitters. It will and is already having adverse impacts on land prices. Farming systems especially sheep and beef farms need flexibility in there system in order to be able adapt to new technology and new science based information. Grand parenting of Nitrogen encourages bad behaviour as has been seen in the Taupo catchment. Many low emitting sheep and beef farms have been forced out of business while the number of cows milked in the catchment has in fact increased.</p>	<p>Remove Schedule B.  A better approach to nutrient loss needs to focus on what are the issues for each sub catchment and then at an on farm level. With the use of the Farm Environment Plans and the land use capabilities of those farms.  What is important for one catchment will be completely different for another.   E.g. The Broadlands catchment close to Taupo with their flat pumice land, some of it fresh out of trees is vastly different from the Waitomo catchment with their steep hill ash country with multitudes of small waterways and wet area. We need to work together as a sub catchment and come up with ideas and plans that will best suit each sub catchment. A blanket one rule for all will not and cannot work with regards to Nitrogen caps and grand parenting</p>
<p>Schedule C: Stock Exclusion Rule 3.11.5.2, Schedule 1</p>	<p>Oppose</p>	<p>I support this in principle but I oppose how it is going to get there. The rules are too tight along with the time frames. Also the rules around where the fences are to be located around waterways are inconsistent. Rule 3.11.5.2 says 3 meter setback. Schedule C says 1m and Schedule 1 says 1m and 3m. The definition of a waterway goes way too far.   On the home farm here My father in-law Barrie has been fencing waterways off and retiring land for well over 30 years. And on the surface, you think that the farm is a model for others to follow. But under these new rules there is still another 30 years of work to be done.  One of the first things Barrie did was to install a water reticulation system. What he found is that over the next year</p>	<p>A better way to do this would be through the farm environment plan, and with reference back to the sub catchment and what has been identified as the problems for that catchment.  On some farms and in some catchments it could well be possible to fence all wet areas of the farm.  On others putting in a water reticulation system and fencing off only the main streams may be the best outcome.  And then on the next farm maybe cattle need to be retired from certain areas of the farm, or only grazed there during the dry summer months.  It is important to understand that a one size fits all approach will not work. Buy in from the farm owners</p>

		<p>all the cattle tracks into the creeks and ponds grassed over, and the cattle and sheep preferred the tough water to swamps. He now had the ability to fence the main waterways and swampy areas, which he found improved stock flow and grass utilisation. Which in turned allowed for a higher stocking rate with less impact on the waterways. Some of the larger ponds are in fact still unfenced and cattle and sheep never venture into them. The ducks however make a real mess of the pond. They turn it black at this time of the year. All this came after the water system and over time.</p> <p>On our Farm which we purchased 2 years ago. The farm had almost no waterways fenced off. And a water reticulation system that had a few bugs and not very reliable. Since taking over we have spent a large amount of money getting the water system up to scratch around \$70,000.00. We have also undertaken a major 3 year \$100,000.00 project with the help of the Waikato Regional council to fence off 7km of bush and river. On top of that we have a ten year plan to get the other important waterways fenced off. This will cost close to \$100,000.00. This is a large capital cost to us and our business. One that if we had to speed up could break the bank.</p> <p>To ask the farmers to do this work by 2023 is completely unreasonable and unachievable. You will just end up getting a push back from farmers and nothing will be achieved.</p>	<p>is needed if this work is to happen.</p> <p>Remove the fencing requirement of land over 15 degrees. Use schedule C only as a guide when developing the Farm Environment Plans.</p>
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<p>Schedule 1: Farm Environment Plans</p>	<p>Support in part</p>	<p>We have had one of these done on our property. And I have found it very helpful in identifying areas of concern and areas that can be utilised a bit better. It however is not full proof and still requires the skill of the farmer to do what's right at the right time.</p> <p>For example the winter 2016 was especially wet and an area of the plan had been identified as having a very low pugging risk, So I rotated my bigger class of cattle around there. It became very clear very quickly that they were going to do a lot of damage to the soil structure, so the decision was made to sell them early and protect the soil.</p> <p>Clause 5: Nitrogen reference point is a complete nonsense and will never be able to be calculated let alone policed.</p>	<p>Remove Clause 5.</p> <p>The Farm Environment Plans could become a very useful tool, It could in fact become the main tool in tool box.</p> <p>If we start at the sub catchment level and work out what are the important areas to focus on within those catchments. Then move to individual farms and work with the farmers to develop their farm plans along the lines of land use capabilities. Some farms may need to tidy up and come down to a catchment level and some farms may have the opportunity to move up. It is true that some people need a push and even the threat of prosecution in order for them to move. But this should come from not following the FEP that they helped develop.</p> <p>The time frames out lined in the plan and the lack of certainty around what a future mitigation might look like are all creating stress and barriers to improvement.</p> <p>It is all about creating some flexibility in the system and working with farmers to get the best outcome. People in general react better to carrots rather than big sticks.</p>
<p>Schedule 2: Certification of Industry Schemes.</p>	<p>Support</p>		
<p>and any consequential amendments arising from this submission point</p>			